

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

To approve the payment of unpaid invoices from prior fiscal years for the Lowell Regional Wastewater Utility.

Section 64 of Chapter 44 of the Massachusetts General Laws allows for payment of bills incurred in excess of appropriations; and

Said invoices are hereto attached; and

NOW, THEREFORE, IT IS VOTED BY A TWO-THIRD (2/3) VOTE AS FOLLOWS:

That the City Council of the City of Lowell hereby accepts and approves payment of unpaid invoices from prior fiscal years for Lowell Regional Wastewater Utility, a copy of which is hereto attached and marked "A".

V:authorizepaymentofbills

The City of Lowell
Lowell Regional Water Utility
815 Pawtucket Boulevard
Lowell, MA 01854

Mark A. Young
Executive Director
t: 978.674.1675 f: 978.970.4235



Duck Island
Lowell Regional Wastewater
451 First St. Boulevard
Lowell, MA 01852

Mark A. Young
Executive Director
t: 978.674.1601 f: 978.459.3826

MEMORANDUM

TO: Connor Baldwin, CFO

FROM: Mark A. Young, Executive Director *M. Y.*

DATE: August 6, 2020

SUBJ: Casella Organics

Due to the provisions of Massachusetts General Law (Chapter 44, Section 64), the City requires a two thirds vote by the City Council to pay for the attached "bad bill" from the Fiscal Year 2019 and 2020 using Wastewater Utility Fiscal Year 2021 funds. This memo is to respectfully request the vote of the City Council to approve the payment of previous year's unpaid bill totaling \$593,849.96.

The City was recently notified that during the course of normal operating and billing cycles, a number of invoices from Casella Organics, the LRWWU's wastewater sludge removal and disposal vendor were not paid in a timely manner due to shortages in annual operating budgets.

Following collaborative meetings between DPW, LRWU, Finance, Law, and Auditing, the city has addressed this issue in the following ways. First, we have increased the financial and administrative reporting operations at the LRWU and LRWWU to include the DPW finance division in a more robust manner, to keep the DPW Finance division abreast of the financial operations and obligations of the Water & Wastewater Utilities. Second, the CFO and Deputy CFO now include LRWU and LRWWU staff at their standing monthly finance meetings. Third, the DPW Commissioner, myself, and Dep. Director of Administration and Finance will meet quarterly to track contracts and spending, and ensure any year-end adjustments are accounted for prior to the end of the fiscal year.

It is difficult to forecast expenses that are tied to volume and tonnage usage, such as with Casella Organics. We believe the new financial safeguards we have collaboratively put in place will allow for earlier notice of looming shortfalls, and thus ample time to more accurately plan and adjust for projected year end spending.

Please let me know if you have any questions on this matter.

Cc: Christine Clancy, DPW Commissioner
Alex Magee, Interim DPW Finance Director

LOWELL *Alive. Unique. Inspiring.*

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MEMORANDUM

TO: Conor Baldwin, Chief Financial Officer

FROM: Mark A. Young, Executive Director *My*

DATE: July 22, 2020

RE: Casella Organics Past Invoices

I, Mark A. Young, Executive Director for Lowell Water/Wastewater Utilities, hereby certify to the best of my knowledge, under the penalties of perjury that the goods, materials, or services for which bills have been submitted were ordered by an official or employee of the City of Lowell and that such goods and materials were delivered and actually received by the City of Lowell or that such services were rendered to or for the City of Lowell.

Vendor Certification Pursuant to MGL c.44, §64

I, Edmond R. Collette, on behalf of Casella Organics hereby state under the penalties of perjury, and in accordance of MGL c.44, §64 (Payments of Bills Incurred in Excess of Appropriations) that the attached receipts for goods, materials and/or services were ordered by the City of Lowell Wastewater Utility, have been provided to the City of Lowell Wastewater Utility and remain unpaid to date.

The attached receipts should specify the date of the order, the date the materials and/or services were received and/or provided to the City of Lowell Wastewater Utility.

If the vendor is a corporation, this certification must be signed by the Treasurer of the corporation.



Vendor's signature

Date: 7/22/20



CASELLA ORGANICS
P.O. BOX 1372
WILLISTON, VT 05495-1372

INVOICE

SERVICE ADDRESS

Page 1 of 1

CUSTOMER NUMBER 88-02528 0
INVOICE # 63020
BILLING INQUIRIES (800) 933-6474
INVOICE DATE 6/30/20
PO# : 34840076-00

451 FIRST BLVD
LOWELL MA 01850

An updated fuel/oil/enviro table is now available at our website.
Please visit www.Casella.com/fuel/oil/enviro for more details.

DATE	DESCRIPTION	QTY.	RATE	TOTAL
6/30/2020	SLUDGE MGMT	2401.49	87.40	209,890.23

PAY THIS AMOUNT

\$209,890.23

PLEASE RETURN THIS PORTION WITH PAYMENT. DO NOT ATTACH CHECK STUB.



CASELLA ORGANICS
P.O. BOX 1372
WILLISTON, VT 05495-1372

INVOICE#	INVOICE AMOUNT	CUST #
63020	\$209,890.23	88-02528 0
PAYMENT DUE 30 DAYS FROM INVOICE DATE (A LATE FEE WILL BE APPLIED TO ANY BALANCE OVER 30 DAYS)		AMOUNT ENCLOSED \$

DUE DATE 7/30/2020

CITY OF LOWELL MA
451 FIRST BLVD
LOWELL, MA 00000

CASELLA ORGANICS
PO BOX 1372
WILLISTON, VT 05495-1372



Casella Organics
PO Box 1372
Williston, VT 05495-1372

Invoice

Invoice #
69529

Invoice Date
7/15/2019

Service Address
451 First Blvd
Lowell, MA 01850

Bill To
CITY OF LOWELL, MA
451 FIRST BLVD
LOWELL MA 01850

Cust#: 88-02528 0

Total Due: \$183,213.87

PURCHASE ORDER # 119000656-00

Please detach here & include with your payment

THANK YOU

\$
Amount Enclosed

Casella Organics			88			
Date	Code	Description	Qty	Rate	Total	
6/30/2019	SS41	SLUDGE MANAGEMENT	2179.82 /TONS	\$ 84.05	\$ 183,213.87	

Please Remit To:

Casella Organics
P.O. Box 1372
Williston, VT 05495-1372

Please pay INVOICE TOTAL

\$ 183,213.87

SL255/57 Cust#: 88-02528 0 Inv#: 69529
Service Address : 451 First Blvd, Lowell, MA 01850

Billing Inquiries (800) 278-7396

To the extent allowed by law, finance charge will be charged on all balances over 15 days. PAYMENT DUE WITHIN 15 DAYS FROM INVOICE DATE.



Casella Organics
PO Box 1372
Williston, VT 05495-1372

Invoice

Invoice #
69052

Invoice Date
6/15/2019

Service Address
451 First Blvd
Lowell, MA 01850

Bill To
CITY OF LOWELL, MA
451 FIRST BLVD
LOWELL MA 01850

Cust#: 88-02528 0

Total Due: \$200,745.86

PURCHASE ORDER # 119000656-00

Please detach here & include with your payment

THANK YOU

\$
Amount Enclosed

Casella Organics			88			
Date	Code	Description	Qty	Rate	Total	
5/31/2019	SS41	SLUDGE MANAGEMENT	2388.41 /TONS	\$ 84.05	\$ 200,745.86	

Please Remit To:

Casella Organics
P.O. Box 1372
Williston, VT 05495-1372

Please pay INVOICE TOTAL

\$ 200,745.86

SL255/57 Cust#: 88-02528 0 Inv#: 69052
Service Address : 451 First Blvd, Lowell, MA 01850

Billing Inquiries (800) 278-7396

To the extent allowed by law, finance charge will be charged on all balances over 15 days. PAYMENT DUE WITHIN 15 DAYS FROM INVOICE DATE.